

Application Serial No: 10/584,116

Responsive to the Office Action mailed on: December 31, 2007

**IN THE DRAWINGS**

The drawings are amended to correct informalities. Particularly, Replacement Sheets of Figures 2 and 4 are submitted herewith. The Replacement Sheet of Figure 2 is submitted to show that the metal film of claim 1 is grounded. The Replacement Sheet of Figure 4 is submitted so as to be designated as prior art, as suggested by the Examiner.

No new matter is added.

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### **REMARKS**

This Amendment is in response to the Office Action mailed on December 31, 2007. Claims 1 and 3-5 are amended. Claim 1 is amended editorially and is supported, for example, in the specification on page 6, lines 11-13. Claims 3-5 are amended editorially to track the amendments to claim 1. Claims 6 and 7 are new and are supported, for example, in the specification on page 5, lines 17-24. No new matter is added. Claims 1-7 are pending.

#### **Drawing Objections:**

The drawings are objected to for various informalities. In particular, Figure 4 is objected to as not being designated as prior art. The Replacement Sheet of Figure 4 is submitted so as to designate Figure 4 as prior art, as suggested by the Examiner. Also, the drawings are also objected to for failing to show "a metal film which is grounded". The Replacement Sheet of Figure 2 is submitted so as to show a grounded metal film, and is supported, for example, in the specification at page 3, lines 10-17; page 6, line 20; page 7, lines 23-27; original claim 1 and in the Abstract. Accordingly, no new matter is added. Withdrawal of these objections is requested.

#### **Specification Objections:**

The specification is objected to for various informalities. In particular, the Abstract is objected to for improper use of the term "comprising". While Applicant disagrees with this objection, in order to expedite the prosecution of this matter, Applicant has replaced the term "comprising" with the term "including" as suggested by the Examiner. Also, the disclosure is objected to for informalities. In particular, the sections "Technical Field" and "Background Art" in the specification are objected to as they are not subsections under the section "Background of the Invention". Also, each section heading is objected to for being underlined. However, the points noted in the Office Action are merely suggested guidelines and are not required. The specification, as provided, is compliant with 37 CFR 1.77(b). Applicant does not believe that section headings in the specification are unclear or provide any substantial burden to the US Patent Office. Withdrawal of the objection is requested.

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Claim Objections:

Claims 3 and 5 are objected to for informalities. Claims 3 and 4 are amended editorially and no longer contain the informalities cited in the objection. Withdrawal of this objection is requested.

§112, Second Paragraph:

Claim 4 is rejected as being indefinite. Claim 4 is amended editorially to clarify which resin the term "resin" applies to. Withdrawal of this rejection is requested.

§103 Rejections:

Claims 1-3 and 5 are rejected as being unpatentable over Morimoto (US Patent Publication No. 2003/0156842) in view of Takekuma (US Patent Publication No. 2003/0067264). This rejection is traversed.

Claim 1 is directed to an optical data communication module that requires, among other features, a base board that is formed with a recess including a bottom surface and a circumferential inner surface, the bottom surface and the circumferential inner surface of the recess being entirely covered by a grounded metal film, the recess accommodating a light emitting element.

The combination of Morimoto and Takekuma does not teach or suggest these features. The rejection relies on Figure 1 of Takekuma for teaching an inner surface of the recess covered by a metal film (41, 42) which is grounded. However, the wirings (41, 42) of Takekuma serve as two distinct wirings, with one end of each wiring electrically connected to the light-emitting diode chip (50). Accordingly, one of the wirings (41, 42) cannot be grounded for the chip (50) to receive power and thus function properly (see paragraph [0018]). Moreover, the wirings (41, 42) are separated from each other under the chip (50). Thus, nowhere does Takekuma teach or suggest that the bottom surface and the circumferential inner surface of the recess being entirely covered by the metal film (41, 42), as required by the grounded metal film of claim 1. Morimoto cannot overcome these deficiencies of Takekuma. For at least these reasons claim 1 is not suggested by the combination of Morimoto and Takekuma and should be allowed.

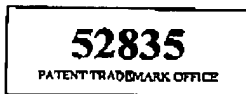
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Claims 2, 3 and 5 depend from claim 1 and should be allowed for at least the same reasons.

Claim 4 is rejected as being unpatentable over Morimoto in view of Takekuma and further in view of Horio (US Patent Publication No. 2002/0154366). This rejection is traversed. Claim 4 depends from claim 1 and should be allowed for at least the same reasons described above. Applicant does not concede the correctness of this rejection.

Conclusion:

Applicant respectfully asserts that claims 1-7 are in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



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Respectfully submitted,

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